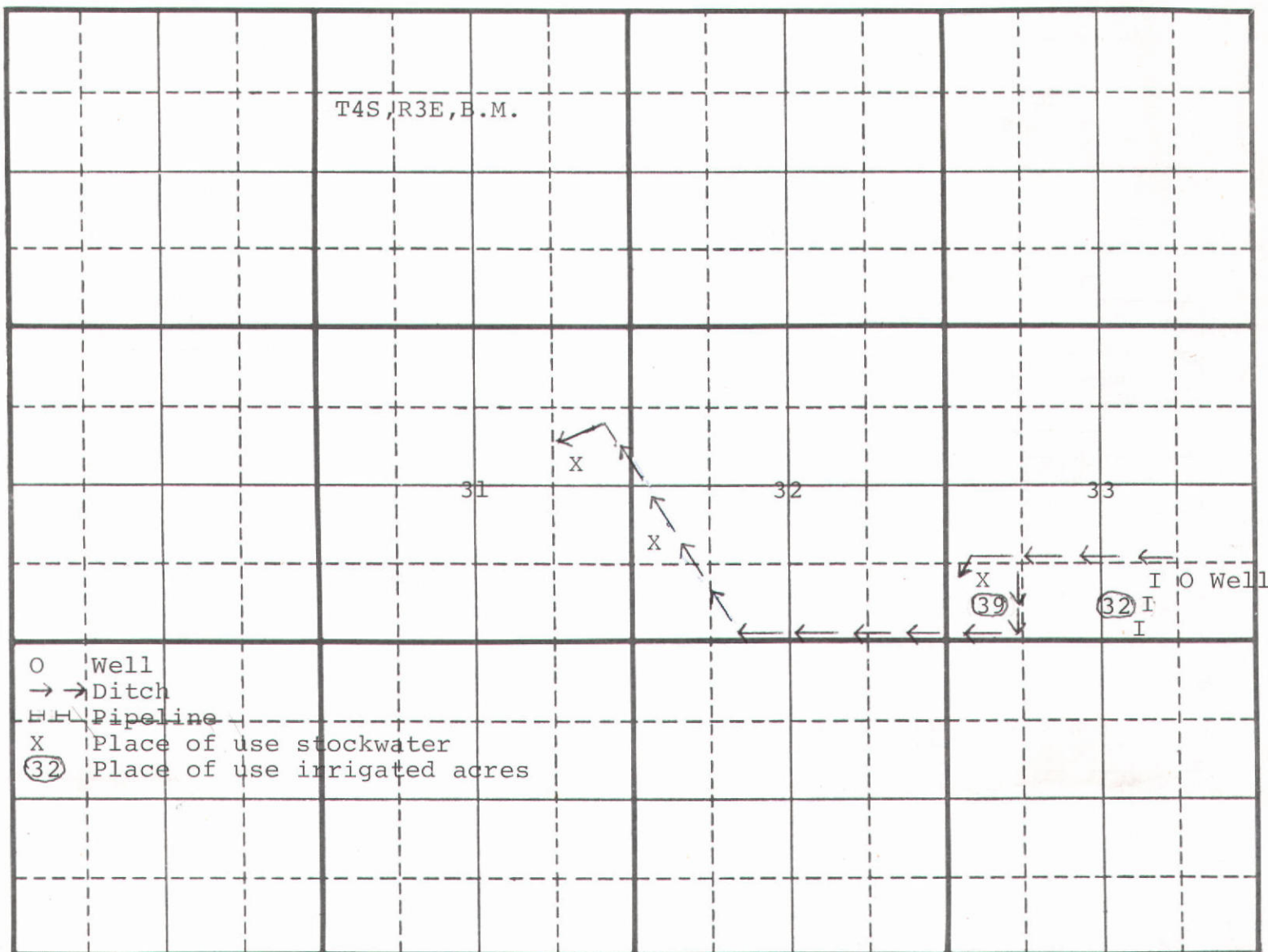


(8) Remarks This irrigation water is supplemental to surface water rights from Snake River Irrigation District, which are also applied to this land.



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho )  
County of Ada ) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge. Jean M. Smith individually and as Personal Representative of the Estate of Bill Smith, deceased,

Sworn to before me this 7th day of November

Jean M. Smith  
(Claimant)  
Charles M. Smith  
Notary Public  
Residing at Boise, Idaho

My commission expires 8-1-82

FOR DEPARTMENT USE ONLY

Received by bhs Date 11/18/81 Exception filed by: \_\_\_\_\_ Date \_\_\_\_\_  
Prelim. check by bs Date 11/18/81  
\$20.00 fee received by bhs Date 11/18/81 # 20350  
Published in mtw Home News  
Dates 11/26 & 12/31/81

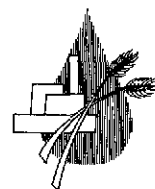
RECEIVED  
778

Claim No. 61-4044

NOV 18 1981

Department of Water Resources  
Western Regional Office

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES



CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Jean M. Smith individually and as Personal Representative  
Notice is hereby given that of the Estate of Bill Smith, deceased  
(Name of Claimant)

905 Warm Springs Avenue, Boise, Idaho 83702 Telephone No (208) 342-5757  
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows

(1) Date of priority: (When was the water first applied to a beneficial use) July 15, 1950

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

ground water tributary to

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed

	(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity	1.00 cfs	Use Irrigation	Period of Use From 3/15	To 11/15
Quantity	0.36 cfs	Use Stockwater	Period of Use From 1/01	To 12/31
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To

(4) 1.00 cfs TOTAL QUANTITY USED.  
(cfs, gpd, AFA)

(5) A) Point of diversion. (Location of point where water is diverted from its source)

SE 1/4 SE 1/4, Sec. 33 Twp 4 S Rge. 3 E B.M., County of Elmore

Additional points of diversion.

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities. be as specific as possible. Describe any changes in the system and give the date of the change. Well, 12 inch diameter 175 feet deep, pipeline, ditch, relift pump, troughs.

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE%				NW%				SW%				SE%				TOTAL
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
			Irrigation																
4S	3E	33										39				32			71
			Stockwater																
4S	3E	31				X													
		32									X								
		33										X							

No. of acres 71

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

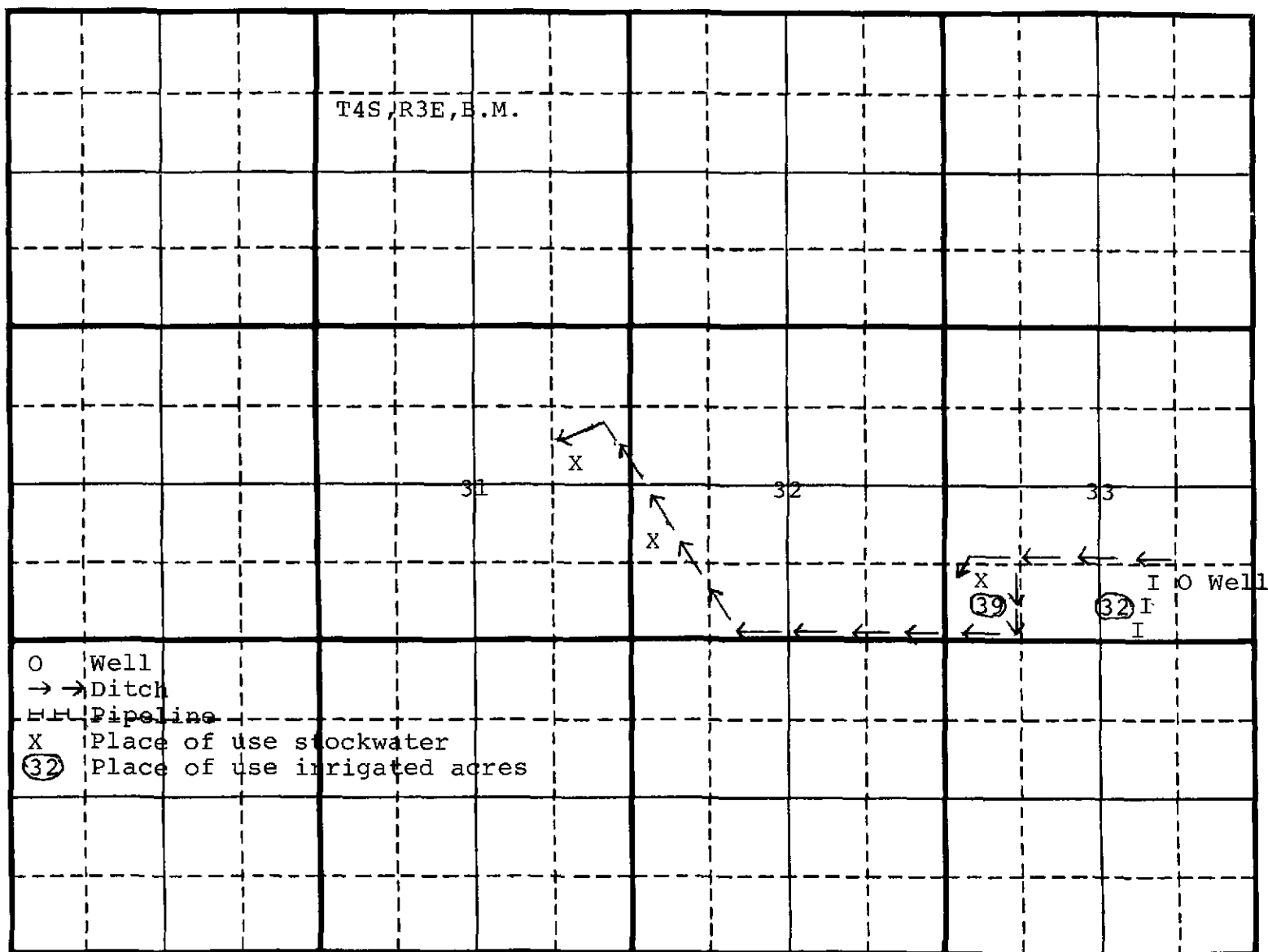
Stockwater for 1600 cattle at various times between January 1 and December 31.

This stockwater right was initially used with sheep.

NOTE Include here the type and number of stock watered

(7) you are claiming water as a member of an organization, list name of organization:

(8) Remarks This irrigation water is supplemental to surface water rights from Snake River Irrigation District, which are also applied to this land.



Scale 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho )  
 ) ss.  
County of Ada )

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge. Jean M. Smith individually and as Personal Representative of the Estate of Bill Smith, deceased,

Sworn to before me this 7th day of November

7, 19 81

Jean M. Smith  
(Claimant)  
Notary Public  
Residing at Boise, Idaho

My commission expires 8-1-82

FOR DEPARTMENT USE ONLY

Received 6/5 Date 11/18/81 Exception filed by: \_\_\_\_\_ Forwarded to \_\_\_\_\_ Date \_\_\_\_\_  
Prelim. check by DL Date 11/18/81  
\$20.00 fee received by 6LS Date 11/18/81 # 20350  
Published in mtw Home News  
Dates 11-26 & 12/31/81

NOTICE OF CLAIMS  
TO WATER RIGHTS

Notice is hereby given that the following claims to water rights have been established by diversion and application to beneficial use

61-4044 / 3

BILL SMITH EST.  
C/O JEAN M. SMITH, 905 WARM  
SPRINGS AVE., BOISE, ID 83702  
Source: GROUNDWATER  
Priority Date: 07/15/1950  
Amount 1.00 CFS  
Diversion Point SESE Sec 33 T 04S  
R 03E, ELMORE Co.  
Use: IRRIGATION (1.00 CFS) from  
03/15 to 11/15; STOCKWATER (0.36  
CFS) from 01/01 to 12/31  
Place of Use: SWSW SWSE Sec 33 T  
04S R 03E SENE Sec 31 T 04S R 03E  
NWSW Sec 32 T 04S R 03E SWSW Sec  
33 T 04S R 03E FOR 71 ACRES  
Diversion Means: WELL, PUMP,  
PIPELINE & TROUGHS  
61-4043

BILL SMITH EST  
C/O JEAN M. SMITH, 905 WARM  
SPRINGS AVE., BOISE, ID 83702  
Source: GROUNDWATER  
Priority Date: 06/30/1956  
Amount: 0.06 CFS  
Diversion Point: SWSW Sec 33 T  
04S R 03E, ELMORE Co.  
Use: STOCKWATER (0.02 CFS)  
from 01/01 to 12/31; DOMESTIC (0.04  
CFS) from 01/01 to 12/31  
Place of Use: SWSW Sec 33 T 04S R  
03E  
Diversion Means: WELL, PUMP &  
PIPELINE  
Any exception to any claim of water  
right may be filed with the Director of  
the Idaho Department of Water  
Resources, 92 S. Cole Road, Boise,  
Idaho 83709.  
A. KENNETH DUNN  
Director  
Published 11/26 & 12/03/81.

Affidavit of Publication

County of Elmore } ss  
STATE OF IDAHO }

I, Lloyd S. Waters do  
solemnly swear that I am the foreman, or  
publisher of the

MOUNTAIN HOME NEWS

a weekly newspaper of general circulation,  
published once a week at MOUNTAIN HOME,  
IDAHO, that the notice attached hereto and  
which is a part of the proof of publication  
thereof, was published in said newspaper for

2 consecutive weeks, the first publica-  
tion having been made on the 26 day  
of Nov., 1981, and  
the last publication having been made on the  
3 day of Dec.  
1981; every Thursday issue of the paper  
during the period and time of publication and  
that the notice was published in the newspaper  
proper and not in a supplement thereof.

And I further swear that the said MOUN-  
TAIN HOME NEWS has been continuously and  
uninterruptedly published in said Elmore County  
during a period of 78 consecutive weeks prior  
to the first publication of the attached notice

Lloyd S. Waters

Subscribed and sworn to me this 3rd  
day of December, 1981

Deane M. Waters  
Notary Public

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DEC 7 1981

Department of Water Resources  
Western Regional Office

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State of Idaho  
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: [Signature]

Right Number 61-4044 Applicant SOUTH ESTATE

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

DA STREAM / INDEX CODE

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. 12/1/81 into Home Year
- ☒ Claim published correctly. 14<sup>th</sup> & 17<sup>th</sup> 31<sup>st</sup> 30 00 20<sup>th</sup> 350
- ☐ Exceptions processed.

By DBS Date 12/14/81

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By kw Date 12/15/81

WATER RESOURCES

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DEC 15 1981

Department of Water Resources

S T A T E   O F   I D A H O

DEPARTMENT OF WATER RESOURCES

Western Region

92 South Cole Road  
Boise, Idaho 83709  
(208) 334-2190  
DECEMBER 16, 1981

BILL SMITH EST.

C/O JERN M. SMITH

905 WARM SPRINGS AVE.

BOISE

ID 83702

RE: Claim No. 61-4044

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

DAVID B. SHAW

Western Region Supervisor

Enclosure

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DEC 17 1981  
WESTERN REGION

61-4044-

BILL SMITH EST.

C/O JEAN M. SMITH, 905 WARM SPRINGS AVE., BOISE, ID 83702

Source: GROUNDWATER

Priority Date: 07/15/1950

Amount: 1.00 CFS

Diversion Point: SESE Sec 33 T 04S R 03E, ELMORE Co.

Use: IRRIGATION	(1.00 CFS)	from 03/15 to 11/15
STOCKWATER	(0.36 CFS)	from 01/01 to 12/31

Place of Use: SWSW SWSE Sec 33 T 04S R 03E SENE Sec 31 T 04S R 03E NWSW  
Sec 32 T 04S R 03E SWSW Sec 33 T 04S R 03E FOR 71 ACRES

Diversion Means: WELL, PUMP, PIPELINE & TROUGHS

RECORDED